

PUBLIC MEETING
BEFORE THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY

PUBLIC MEETING held by the United States
Environmental Protection Agency on the 18th day of
October, A.D., 1988, at the hour of 7:00 o'clock p.m.
at the Ramada Inn, Waukegan, Illinois, to discuss OMC/
Waukegan Harbor Settlement and obtain public comments.

PRESENT:

MR. JOHN PERRECONI, U. S. EPA
SUSAN LOUISNATHAN, U. S. EPA
HOWARD ZAR, U. S. EPA
MILT CLARK, U. S. EPA
VICTOR FRANKLIN, U. S. EPA

TERRY AYERS, IEPA



1 MR. PERRECONCONE: Thank you all for coming tonight.
2 to the meeting. My name is John Perrecone of the U. S.
3 EPA Office in Chicago of Public affairs, and tonight I will
4 be the moderator for tonight's meeting. We are happy to be
5 here.

6 Quite a few people in the room have gone through
7 this for a settlement for the cleanup of Waukegan Harbor.
8 I know you're happy to be here as well.

9 Tonight's meeting we are going to discuss the
10 proposal to clean the PCB's from Waukegan Harbor and OMC
11 property and to take public comments on the official plan.
12 we are looking at now. Our previous history of the site most
13 folks are aware of what's taking place out here.

14 In 1982 the U. S. put this site on first NPL funds
15 to be expended. In '84 U.S. EPA put forth a proposal to
16 essentially to dredge PCB contaminants out of Lake Michigan,
17 dewater them out of the lagoons, and put them in containment
18 cells. We didn't complete that.

19 In 1986 we entered negotiations with Outboard
20 Marine Corporation and have somewhat different proposals
21 and that's the focus of tonight's meeting, the different
22 proposals.
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1 The new proposal differs in a numbers of ways
2 from the '84 plans. First off, I think you know in this
3 particular plan OMC will pay for the cleanup and for that
4 the superfund law was passed. That's good news for the
5 U. S. EPA because that indicates funding will be born by
6 OMC and available for other sites.

7 Secondly, it takes primarily on site very few
8 materials leaving the site, and in terms of actual cleaning
9 up, closing of slip 3, taking materials from slip 3, putting
10 them north of on the parking lot and treating material on
11 site and plus putting material in containment cells. Sue,
12 the project manager, will discuss this proposal in more
13 detail.

14 Under the superfund law passed in '86, the
15 requirement was passed when you change your mind, when
16 you change proposals significantly, a previous policy, you
17 must take that proposal back to the public and take public
18 comments on it; and we did that in '84. In '84 we took
19 public comments; and in '88 we are back saying this is
20 different than '84. Here are the main differences. Please,
21 make a comment on the main differences.

22 A few more things in Waukegan, you're aware of
23
24

1 a few, not relevant to tonight's discussion. One issue as
2 I said we are focusing on PCB cleanup; so the issue of the
3 City of Waukegan drinking water quality is not relevant to
4 tonight's discussion; and although relevant to IEPA and EPA,
5 but handled in a different forum; so we won't be discussing
6 that issue.

7
8 The second issue because we are focusing on
9 the upper Waukegan harbor, we'll not discuss the Army Engi-
10 neer's Corps of Engineers dredging project. An important
11 project, but handled in a different forum; and I hope you
12 have all received an agenda. I want to go through the
13 thing right now to see where we stand on the discussion
14 purpose of the meeting. That's my role.

15 Next, Sue will discuss the cleanup plan. We
16 are discussing right now the cleanup plan, but the differ-
17 ence between '84 and '88. Sue and I should talk no longer
18 than until 7:30 at the latest. From 7:30 to 8:15 we'll
19 have a panel of experts, and I will introduce in a few minutes
20 the panel, will take questions and answers to a consent decree
21 to both aspects of the cleanup differences from '84 and '88.

22 Following that about 8:50 to 9:30 take a short
23 break, stretch our legs, collect our thoughts. At 9:30 to
24

10:00 o'clock, I want to take official public comments.

1 Briefly, let me discuss how the two are different,
2 and it's always very difficult to distinguish the two. The
3 Q and A is meant to do that. The questions from the audience
4 will be to clarify the proposal, clear up any misconceptions
5 about the proposal and be much more specific about the proposal
6 in terms of times of things we are doing at the site. The
7 comment period is -- different comment period -- is meant to
8 be an official comment for the public record.
9

10 During Q's and A's I won't be insistent upon giving
11 your name; but come to the microphone. During the public
12 comment here, I want to get your name and affiliation because
13 that's an official record of tonight's meeting because that
14 is important because we do respond to those comments in writing
15 later on. For public comments, we won't give responses right
16 now. Instead, we'll be taking the comments back with all
17 comments referred orally and written up to October 14th, the
18 end of the public comment period.
19

20 Second thing, we have a fact sheet available at
21 the front door, and hope you all pick those up as well
22 because in tonight's presentation, Sue will go through some
23 slides on the board. It may be hard to read in the back of
24 the room and the front as a matter. Follow along with the

fact sheet. We have been careful to keep our graphics
consistent with the slides, poster boards around the room
here as well as the graphics and fact sheets; so anything
we are talking about tonight is visible in front of you on
a fact sheet. Use that and follow along.

I have put in a sign-up sheet in the front door.
Please, sign up to make sure we have your name for future
mailings and future events. It's not over yet, just the
beginning. We can keep people informed as we move along.
We have a court reporter reporting the entire proceeding.
She will keep track of that and that public record is part
of the U. S. EPA's official record of the entire process
here; so anything said tonight is in the official record
and part of the U.S. EPA progress.

Finally, Sue has a public comment period extended
to October 14th. Please, go through that tonight or some
other time with that. I want Sue to come up and go through
the presentation of the cleanup plan and following that I
will come up and moderate the Q's and A's for the panel of
experts.

Sue.

MS. LOUISNATHAN: I'm very happy to see all of you
here tonight. As John made it clear, public participation in

1 superfund is a very important and integral part of our
2 program, and as our long period of negotiations started
3 coming to a close this summer, we started planning for this
4 public meeting; and I think initially we were a little con-
5 cerned that we might interfere with the World Series that
6 are going on right now; but, of course, since, once again,
7 neither our Cubs or Sox are involved in that event, it
8 didn't turn out to be much of a problem.

9
10 Before I begin my presentation, I think it would
11 be helpful if everyone would visualize what the project will
12 look like once it's completed, once Waukegan harbor is cleaned
13 up.

14 If you were on a boat entering the upper harbor,
15 you would notice several important changes. First, you
16 will no longer see a slip number 3. In it's place would be
17 a small grassy mounded area. As you look to your east, you
18 would see a brand new slip, and it's likely that transporta-
19 tion going into and out of the harbor will increase because
20 of the benefits of the dredging process; and also as a
21 result of the cleanup, you will see recreational use of the
22 harbor start to increase over what can happen now.

23
24 I'm going to go through some slides now and
 some of these slides -- in fact all of these slides -- are

1 in the fact sheet you have tonight. If you don't have a
2 fact sheet, we have some up in front at the door that you
3 can get a hold of.

4 Basically, I just have three objects in my pre-
5 sentation tonight. I'm going to go over the site here
6 and in particular I'm going to take you step by step through
7 the remedial action and I'm going to highlight some of the
8 differences in this proposal compared to our '88 proposal.

9 AUDIENCE: Could you adjust the microphone for
10 better sound?

11 MS. LOUISNATHAN: If I speak closer to it, is
12 that helpful?

13 AUDIENCE: Yes.

14 MS. LOUISNATHAN: Thank you for your honesty.
15 I appreciate that. I'm going to be using some key terms
16 in my presentation. One term is treatment. When I talk
17 about treatment, I'm talking about an engineering technology
18 that removes contamination from one media, be it ground water
19 or sediment, and put it into another media. It -- this
20 project presently will take place on water and treatment
21 will call on silt and sediments that contain PCB's.

22 Another key term is containment cell. By
23 containment cell, I mean especially engineered vault that
24

1 is designed to isolate the materials within it from the
2 surrounding environment.

3 For those of you not familiar with the project,
4 the Waukegan harbor is located some thirty-seven miles north
5 of the City of Chicago; and this is an overview of the site.
6 Besides the two OMC plants which are located here and here,
7 we also have some other facilities such as Larsen Marine
8 and National Gypsum and the City of Waukegan Water Filtra-
9 tion Plant.

10 In the fifties and the sixties, OMC used hydraulic
11 fluid in their die-casting operations, and at least as early
12 as 1961 these fluids contained PCB's. PCB's are polychlorinated
13 biphenyls, chlorinated compounds. Some of these fluids leaked
14 through floor drains and entered outside walls that led into
15 either the harbor area or the north ditch area.

16 The contamination -- next slide, please. This is
17 the slide of the contamination and the site has been very
18 well studied, and that's why we are able to tell you exactly
19 where the contamination is in the harbor area. The most
20 contaminated area is, of course, with slip number 3. In
21 fact about ninety-eight percent of all of the PCB's that
22 are in the upper harbor area are contained in slip number 3.
23 In the north ditch area, which is here, the most contaminated
24

1 areas are the Crescent Ditch and Oval Lagoon. Another area
2 of contamination that EPA has been concerned about has been
3 in the parking lot area. Contamination is found in lesser
4 amounts.

5 Next slide, please. PCB's were used extensively
6 by everyone in the forties and fifties, and in the sixties
7 evidence began to accumulate that PCB's were toxic to
8 humans. Some of the problems they caused pertained to
9 skin disorders and liver disorders; and when tests were run
10 on laboratory animals, they showed tumors and reproductive
11 effects and other liver injuries; so the problem with
12 PCB's in the lake environment is that they're found in the
13 sediment, and they get transferred to different aquatic
14 organisms, and then the larger fish eat the smaller fish
15 and this is a process called bioaccumulation; and as PCB's
16 bioaccumulate, they become more and more concentrated in
17 the fatty tissue and they can be ingested by humans; and
18 that is the problem we are trying to address here in our
19 cleanup of the Waukegan harbor.

20 Next slide, please. The remedial action centers
21 around the construction of three containment cells. Their
22 locations are these orange crosshatched areas. Three will
23 be built. Slip number 3 cell, the west containment cell,
24 and the east containment cell.

The very first step of the project is to build the new slip in this area and relocate Larsen Marine into the new slip. Then the entire site will be fenced off. The existing parking lot area will be relocated, and a temporary water treatment facility will be constructed to handle water generated during the action. Treatment of the water will be through sand beds and granulated activated carbon units.

After the slip has been constructed, then we will build an -- OMC will build -- a cutoff wall at this area here to isolate slip number 3 from the lake environment. Then they will proceed to build the slip number 3 containment cell. Concurrently they will also start working on a, the, west containment cell area. Once slip number 3 has been isolated from the harbor, it will then be dredged. Dredging will be accomplished using hydraulic methods. The material in slip number 3 will be moved via a pipe line under Sea Horse Drive and be placed in the west containment cell. The Crescent Ditch and Oval Lagoon will also be excavated. These materials along with those highly contaminated slip 3 materials will undergo treatment.

Treatment will take place in this area next to the west containment cell. The treatment involves a thermal

1 process that will extract the PCB's that are in oil in
2 those contaminated sediments, and will take the oils off,
3 oils and sediments, and OMC will be able to have that oil
4 transported off site for disposal.

5 Then the upper harbor will be ready to be
6 dredged. The very first step for that is to install a
7 silt curtain and an oil boom. Then the dredging of the
8 upper harbor can occur, and the dredged material will be
9 placed in slip 3 cells. Of course, during the dredging
10 process, we'll not allow transportation into and out of
11 the harbor; so dredging of the upper harbor will only
12 occur during the months of October through April so as not
13 to interfere with the regular boating season.

14 The next step is to excavate the north ditch.
15 That will also be placed in the west containment cell area;
16 and finally, the last, one of the last actions, of the pro-
17 ject is to build the east containment cell around the parking
18 lot area which is contaminated.

19 Now, I know that I have said containment cells
20 several times tonight; and I just want to give you a brief
21 overview of what this containment cell looks like.

22 Next slide, please. The size of the containment
23 cells are three foot slurry walls. The slurry walls will be
24

1 keyed into the natural clay till layer. The covers of the
2 cells will be of synthetic liner with a clay cap, and the
3 design of the cell is to isolate these materials. These
4 will be the residuals left over from the treatment process,
5 residuals from the dredging of the upper harbor, and the
6 contamination in the parking lot area.

7 Extraction wells will be installed in each of
8 the containment cells, and the purpose of the extraction
9 wells is to maintain an inward hydraulic gradient into
10 the cell so that no water will ever leave the cell. Water
11 that's collected by the extraction wells will be sent to
12 another long-term water treatment facility. The monitoring
13 wells around each of the cells will be sampled on a quarterly
14 basis to insure that no PCB's are being released from the
15 containment cells.
16

17 Next slide, please. When the remedial action is
18 finally completed; and as you can recall back to my visualiza-
19 tion exercises, this is what the area will look like. There
20 will be three containment cell areas. They will not be very
21 high in elevation. They will be fenced off, and the integrity
22 of these cells will be maintained by the Outboard Marine
23 Corporation by the terms of the consent decree. There are
24 other operations and maintenance activities that OMC must

1 perform and which are outlined in the maintenance plans
2 which are available to the public to inspect at the various
3 repositories.

4 Next slide, please. The major differences
5 between this proposal and EPA's proposal in '84 are high-
6 lighted in this slide. If this is difficult for you to read,
7 again, this slide is located in your fact sheet; but very
8 briefly, slip number 3 will be dredged and closed and turned
9 into a containment cell. The Waukegan harbor sediment will
10 be contained in the slip number 3 cell and not on the parking
11 lot area as envisioned in 1984. A much larger amount of
12 PCB's will be treated in this proposal than in 1984.

13 In 1984 the contaminated PCB's materials were to
14 be disposed of off site. There is no hazardous waste land-
15 fill that will be used for any of the actions going on over
16 here. Everything will be dealt with on site. The only off
17 site disposal will be that oil that contains PCB's, and that
18 will be handled the way that we handle oils with PCB's now
19 under the program.

20
21 There will be no large dewatering lagoons that
22 were necessary for the '84 remedy, and the containment cells
23 have been upgraded to include synthetic liners and soil cells
24 and extraction wells instead of just a clay cover as called

for in 1984 scheduling.

1 Next slide, please. This project is expected
2 to be completed in two to three years; and there is a lot
3 of activities that are going on concurrently here; but
4 basically, the most important step is for OMC to submit
5 and for EPA to approve the engineering design of all the
6 construction activities that will take place.

7 At this time we think that dredging of the
8 upper harbor will be sometime in late 1990; and we are
9 looking at a project completion somewhere around 1982.

10 I know I have gone over some of these steps
11 very quickly. They're very complicated; so I would like
12 to turn over the program back to John Perrecone and other
13 EPA people involved in the project will be available to
14 answer the questions you have in greater detail. Thank you.

15 MR. PERRECON: Thank you, Sue, very much.
16 What I want to do now is open the floor up now to questions;
17 and first let me introduce our panel we have with us
18 tonight.

19 On the far end Victor Franklin from U. S. EPA.
20 Victor is the attorney, and been involved for quite awhile.
21 Howard Zar, Water Division from EPA, and he will answer
22 questions; Dr. Milt Clark, he can answer questions on
23
24

1 toxicology and what not. Of course, Sue Louisnathan,
2 project manager; Dan Caplice, previous project manager;
3 and Terry Ayers also involved in the project.

4 At this point, please, feel free to come to the
5 microphone and speak up; and I will get the right person
6 to answer the questions for you. I'm sure you have some
7 questions.

8 AUDIENCE: I don't have to go to a microphone.
9 Would you define the word, slurry wall. I'm not acquainted
10 with that in construction.

11 MR. PERRECONE: The question was define slurry
12 wall. Sue, you want to take a chance on that.

13 MS. LOUISNATHAN: Sure. Slurry wall is a --
14 slurry wall is a mixture of soil and bentonite that is
15 designed to keep what we have in the containment cell there,
16 and keep it isolated from the water surrounding the contain-
17 ment cell. It's going to be --

18 AUDIENCE: Repeat that louder.

19 MS. LOUISNATHAN: A slurry wall is going to be
20 three foot wide, and it's like a big wall of cement that's
21 going to be installed inside the ground, and the bottom of
22 the wall is going to be into the clay till. The natural
23 clay till in Lake County --
24

AUDIENCE: Is this concrete?

MS. LOUISNATHAN: No, it's not concrete. I use the analogy -- to help you understand, it's a special mixture of soil and bentonite.

AUDIENCE: Okay.

MR. PERRECONCONE: Sir, question.

AUDIENCE: Are you ready for mine?

MR. PERRECONCONE: Yes, please.

AUDIENCE: I have several.

MR. PERRECONCONE: Just speak loudly.

AUDIENCE: I will speak loudly. You talk about being able to monitor at the east and west site with wells outside the containment cells itself. How would you monitor the containments in cell 3?

MR. PERRECONCONE: They want to know how to monitor at slip 3?

MS. LOUISNATHAN: We are going to monitor them in the same way that we are monitoring the east and west cell. The edge of the slip number 3 containment cell is not going to be the lake. There's going to be some distance where we put the slurry wall and where we have the cutoff wall in the lake.

AUDIENCE: Okay. The drawing doesn't really

show that. It shows sort of a barrier between the slip
or the containment cell and the harbor.

MS. LOUISNATHAN: Right. It's twenty feet wide.

AUDIENCE: There's a buffer zone?

MS. LOUISNATHAN: A buffer zone.

AUDIENCE: And that would be water basically?

MR. CAPLICE: Maybe I can clarify. The cutoff wall that you have is twenty feet wide. That's installed first, two sets of sheet piling twenty feet apart backfilled with earth and material. Through the center of the material they put the three foot wide slurry wall so that the slurry wall will be approximately eight foot from the nearest point of the lake, and that will be a sheet pile from the interface with the lake.

AUDIENCE: What is the expected life of the slurry wall of the containment cells themselves, or how long will they last?

MR. PERRECON: How long will the slurry walls last.

MR. CAPLICE: The actual life will basically depend on the operation and maintenance. As long as they're maintained, the integrity should last.

MR. PERRECON: Does that mean forever?

1 MR. CAPLICE: They're not going to fall apart.

2 AUDIENCE: Given the sort of capricious nature
3 of the height of Lake Michigan over the last couple of
4 years, is there any concern about the closeness of the east
5 slurry wall potentially being under water.

6 MR. PERRECONE: The potential for that slurry
7 wall to be inundated by water.

8 MR. CAPLICE: The lake level will be taken into
9 account during design period. There shouldn't be any prob-
10 lem; however, there will be specific requirements that will
11 be built into the performance standards in the design to
12 insure that the lake is a minimum level -- I'm sorry,
13 slurry wall -- and top of the cell are a certain level
14 with the maximum predicted lake level in the area; so you
15 shouldn't have any problem.

16 AUDIENCE: What is the height expected to be?

17 MR. CAPLICE: Something determined during the
18 design period. The exact height right now is not known.

19 AUDIENCE: In terms of monitoring, what will be
20 done by EPA or Johnson Motors or by whom?

21 MS. LOUISNATHAN: The monitoring will be done
22 by Outboard Marine Corporation and results will be over-
23 seen and submitted to EPA and IEPA and turned over to
24

the Attorney General's Office for evaluation.

AUDIENCE: You mean they will be done quarterly?

MS. LOUISNATHAN: Yes, quarterly for a certain period of time and then the agencies will evaluate whether that frequency can be reduced.

AUDIENCE: If you should find some leakage through, what would be the next step?

MS. LOUISNATHAN: The provisions of the operation and maintenance plan calls for corrective action if PCB's are indeed leaking out of the cell, and the terms of the consent decree are OMC will be responsible for correcting whatever is causing the problem, yeah.

AUDIENCE: Thank you.

MR. PERREONE: Thank you.

AUDIENCE: Yes, I have a number of questions. If that's -- I will try and speak a little louder. What is the synthetic cover made out of?

MR. PERREONE: What is the synthetic cover made out of?

MS. LOUISNATHAN: It's a high density polyethylene cover.

AUDIENCE: As far as Waukegan harbor is an international area of concern sightings, what's going to be

1 the plan of action as far as a remedial action plan is
2 concerned for other areas of concern? You have a totally
3 different document than this type of a document, a super-
4 fund document. How is that going to measure with that and
5 taken into consideration?

6 MR. CAPLICE: This site, the Waukegan harbor
7 site, is on a national priority list; therefore, the
8 agency decided that even though it was also on the Inter-
9 national Joint Commission's list of sites, they would
10 address it as a site on the national priority list. It's
11 being addressed in a slightly different manner because of
12 that. Most of the other sites -- in fact all of the others --
13 are not on a priority list.

14 AUDIENCE: Will there be a remedial submitted
15 to IJC? Will this site in Waukegan harbor be subject to the
16 same rules for citizen participation as other areas of con-
17 cern will be; or are they altered because they are considered
18 under superfund?

19 MR. PERRECON: The International Joint Commis-
20 sion is over all the Great Lakes. The concern is different
21 than Waukegan harbor than other sites also on the Great
22 Lakes regarding this; and I don't know if we have anybody --

23 MR. CAPLICE: It probably will be treated
24

1 somewhat differently mainly because it's on the priority
2 list and superfund sites, the whole remedy, all action
3 up to this point and all future corrective actions that
4 are taken as a result of the consent decree will be taken
5 under all regulations under the superfund program. The
6 IJC will be kept informed of what is going on.

7 AUDIENCE: I will just finish this one. Will
8 the IJC review the documents before any action is taken?

9 MR. PERRECONCONE: In terms of the IJC reviewing
10 the documents, they can review the consent decree and the
11 same, right?

12 MS. LOUISNATHAN: I would like to point out we
13 will be attending an IJC conference next week and discussing
14 OMC settlement. This is something they're going to be looking
15 for as an example of some of their other projects they have
16 in mind.

17 AUDIENCE: I was kind of unclear on the relation-
18 ship in cleaning up the site between the U. S. EPA and IEPA.
19 What are the different responsibilities now with the cleanup
20 and maintenance further on down the road?

21 MR. PERRECONCONE: Terry, can you address that,
22 IEPA and differences in roles?
23

24 MR. AYERS: Hold on for a second. All right.

1 Well, we have assisted U. S. EPA in negotiating this consent
2 decree with Outboard Marine, and we do support the consent
3 agreement. Our role versus EPA is different in that U. S.
4 EPA has taken a role in negotiating the consent decree.
5 IEPA is a support role. We will be reviewing all documents
6 and plans and designs and prepared by OMC. We'll review
7 and comment, and we have the right to approve or disprove
8 those documents; so we will be totally involved in the
9 project until its completion, and we will provide a close
10 role with U. S. EPA as well as the U. S. Attorney General.

11 AUDIENCE: Final question, and that is, will there
12 be some kind of public demonstration project on this new
13 technology. As far as I know, it's the first time it's been
14 used out in the environment, and would seem to be -- I don't
15 know if this is a comment or question. It seems to me to be
16 a good idea to demonstrate to the public how it will work.

17 MS. LOUISNATHAN: The technology is old. The
18 application of the superfund is what's new; and U. S. EPA,
19 IEPA, U. S. Attorney's office spent a year evaluating differ-
20 ent technology. When it's ready to be used at the site, the
21 agencies will be closely overseeing the construction; and
22 they will require OMC to submit a trial run before it goes
23 on line for full treatment.
24

AUDIENCE: Will there be some kind of a demonstration to the public as to how it works so that they can learn and understand visually how it works?

MR. PERRECON: Some kind of demonstration to show the public and press as well how the system works? That's undetermined at this point.

MS. LOUISNATHAN: All the data submitted on the process is already there in the administrative record and any other data would be available to the public in the respository.

AUDIENCE: So the public won't be able to review this as it goes along?

MR. PERRECON: At this point, there is no plan, but something we can discuss and take a look at, yes, sir.

AUDIENCE: In the brochure, you mentioned that the shipping would be curtailed, or the work would be done from October through April; and then you mentioned in your talk it would be November through April. Has any consideration been made to commercial shipping which goes on through December.

MR. PERRECON: The time you will be doing work will be commercial as well as recreational shipping and boating?

1 MR. CAPLICE: During the actual dredging of the
2 upper harbor, there will be a silt curtain across the upper
3 harbor. we looked into during the whole evaluation of
4 what to do. The consultants for OMC evaluated the amount
5 of shipping, boating that goes on. Basically the determina-
6 tion was made that there is going to have to be a certain
7 point in time when the harbor has to be closed in order to
8 dredge the harbor. It was determined that the best time
9 for that to happen would be during the winter months.
10 Basically, it does have some impact, but hopefully minimal
11 impact because even during the winter shipping is minimal
12 during the winter months.

13 AUDIENCE: That's been looked into, I take it?

14 MR. CAPLICE: To a degree, I take it.

15 AUDIENCE: With some expertise?

16 MR. CAPLICE: I can't say exactly.

17 AUDIENCE: The slip -- not the slip, but the
18 channel -- was dredged this year, it has historically been
19 dredged every three years. Is there a possibility within
20 the next three years it has to be dredged, it may not be
21 dredged?
22

23 MR. PERRECON: You're discussing the area
24 that's not an upper harbor?

AUDIENCE: That is correct.

MR. PERRECONCONE: The upper --

AUDIENCE: Out towards the lake.

MR. PERRECONCONE: That's a Corps of Engineers' question. We can't address. That's a question to be addressed to the Army Corps of Engineers. Sometime in the future that will be discussed, but not right now.

AUDIENCE: The only other question, the area inside the harbor in slip 1, that may also be a Corps of Engineers' problem?

MR. PERRECONCONE: That's correct. Our project ends at the original curtain on the area map there. Outside that area is Army Corps of Engineers' responsibility.

Question over here?

AUDIENCE: My name is Clarke. Maybe I can ask a question that will answer his question about shipping. And as I understand your presentation, the only part of the harbor that's going to be closed during this project is the upper harbor from this boom or curtain on up?

MR. PERRECONCONE: Correct.

MR. CLARKE: There is no commercial shipping in that area except sometimes barges are docked there. Other boats and cement boats use slip number 1. Down here as far

1 as I can tell from your presentation, that will not affect
2 commercial shipping. Is my understanding correct or not?

3 MR. CAPLICE: Basically correct. There are
4 times when barges will back out of the slip 1 and back into
5 the upper harbor and use it for a turn area, and that's the
6 only time. Like you said, when they're moored in the upper
7 harbor and use it for turning is really the only time they
8 would be affected.

9 AUDIENCE: The reason I ask, Sue specifically
10 stated no commercial shipping will be allowed or commercial
11 boating in the harbor at all. You're not talking about the
12 area in the upper harbor? The upper harbor will be blocked
13 off?

14 MS. LOUISNATHAN: That's right. The other harbor
15 is undisturbed, yes.

16 AUDIENCE: Speaking of the subject, there are
17 commercial boats up there. There are commercial boats tied
18 up there. There are commercial boats in the original portion
19 of the area year round. There are commercial boats, particu-
20 larly a tugboat for getting perch for years. If that's going
21 to be closed off, I ask you make provisions to have those
22 boats down further harbor so they can operate.

23
24 MR. PERRECON: Thank you, Mr. Gogol.

AUDIENCE: We'll try this microphone. It

works. I have a question about the treatment process. My understanding is that it's described as a thermal process; but in the fact sheet I see thermal or chemical. Is the treatment process firmly decided upon, or are those terms synonymous?

MS. LOUISNATHAN: Okay. At the time that we presented the fact sheet, U. S. EPA would have accepted as treatment either a thermal or a chemical process. A thermal process is called Taxis. The chemical process is called bauxite. After we presented the fact sheet, OMC decided that they would use the thermal process called taxis; so we did try to insert a little smaller flyer on taxis which should be available for people to look at; so we can focus more directly on that.

MR. PERRECONE: Question over here, Mr. Gogol?

MR. GOGOL: Couple things. The first thing is that has there been any tests made by EPA of workers at OMC that worked in the department at die-casting when they were there during the times when the hydraulic hoses loaded with PCB's required by OSHA of safety of workers would bust because it's operated up and down with the equipment and sprayed everybody in the area. You have the name of one

1 individual that was in that department -- sorry two -- that
2 experienced that. Have you ever contacted anybody to see if
3 they have ever gotten any indication of cancer or any other
4 illness as a result of that PCB's?

5 MR. PERRECONE: Question regarding health exposure
6 of PCB's at OMC Plant. Dr. Clark?

7 MR. CLARK: Let me see if I can address that.
8 The responsibility for work exposure as you put it lies with
9 the Occupation Safety and Health Administration. Any workers
10 at the site who believe they have been exposed or may have
11 suffered ill effects should contact OSHA.

12 MR. GOGOL: Have they been informed.

13 MR. CLARK: The information that is generated
14 would be between really OSHA and workers, or between Outboard
15 Marine Corporation and the workers. It's not -- as EPA, we
16 are disinterested in this issue. It's largely -- it lies
17 within the Occupation Safety and Health Administration. So
18 if there is any individual who feels like their health has
19 been impaired could indeed contact Occupation Safety and
20 Health Administration, fill out forms detailing how any
21 injury or impairment may have occurred and communicate that.
22 We have not received ourselves as EPA any communication from
23 individuals from Outboard Marine Corporation on this issue;
24

1 we will then refer them to OSHA if the calls came in to
2 us.

3 AUDIENCE: I'm talking about the reverse of
4 that how come. The people will not come to you if they feel
5 all right. Why should they? There's not been -- there's
6 nothing wrong with them. Not the ones that don't feel good.
7 What about the ones that -- many of them in my experience
8 that doesn't have the first ill effects from it; and I will
9 give you their names to testify to that if you need it.

10 I think that as an example that if you do, if
11 you did that, and if you find better than ninety-nine per-
12 cent don't have any inclination of PCB's, then this whole
13 project should be called off. Is that a possibility?

14 MR. CLARK: I don't think there will be any
15 calling off of the project. This project will indeed go
16 forward with the intention of eliminating potential things
17 to human health so the project is slated to go forward.

18 MR. GOGOL: Then there was something mentioned
19 in the newspaper about this. This is not our tax money
20 that's paying for this. I agree with them. It's the money
21 from OMC, not from your organization or any other organiza-
22 tion; am I right?

23 MR. PERRECONE: Correct.
24

1 MR. GOGOL: Therefore, it's not a tax, but
2 they're going to have to get that money from someplace
3 by higher prices taken from the sale of every one of
4 their products; am I right, OMC?

5 MR. PERRECONCONE: The question is --

6 MR. GOGOL: You see my point?

7 MR. PERRECONCONE: I understand that we face
8 that nationwide when we have a settlement with EPA and
9 settlement with other parties. There's always a potential
10 that sales will go up.

11 That's not our concern. We both are agreeing
12 upon the facts. This is the way to go at this particular
13 site.

14 MR. GOGOL: Next thing if you look on this
15 pamphlet, item out there and on page 2, on page 3 on the
16 inside, the first little black dot, it says all PCB's
17 hot spots of 10,000 parts per million were to be dredged
18 in slip number 3.

19 MR. PERRECONCONE: Yeah. You referred to the 1984
20 proposal. The '84 proposal we presented first, and the
21 fact sheet to follow up with the '88 proposal; so that
22 black dot you're saying is from 1984.

23 MR. GOGOL: Then for the '84 proposal, did you
24

1 have a plateau of 75 parts per million in the harbor
2 sediment and that line ran from OMC over to slip number
3 1. Beyond that, was nothing to be done in there to stir
4 up the PCB's?

5 MR. PERRECON: The question refers back to
6 1984. Was there a 75 per million plateau OMC adhered to.
7 Dan can address that.

8 MR. CAPLICE: The 1984 proposal was a 50 part
9 per million. The work areas in 1984 proposal and work areas
10 in 1988 proposal are identical. There is no difference
11 in what areas are going to be remediated in the proposal.
12 The line you're referring to, 75 per million line, was in
13 actuality a 1984 proposal, a 50 part per million; and that
14 is the same line as today.

15 AUDIENCE: Your office issued tests made with a
16 drawing shows where the drawings were made in the sediment
17 showing the parts per million, and they marked in there
18 that 75 is a plateau line. They use a different word than
19 that. Plateau line from there on the water was safe to go
20 boating, fishing and so forth. Does that make sense to you.

21 MR. PERRECON: May I ask firsthand what year
22 that particular drawing you're talking about, diagram
23 you're talking about?
24

AUDIENCE: It's been about six or five years ago, but there was three; and my point, without getting the details, one of those charts showed a lesser part per million coming from the lake, from slip 3, all the way out to the channel harbor entrance, but showed me those PCB's are not moving one inch, not moving at all, or there would have been more or stayed the same, right?

MR. CAPLICE: Maybe I can answer that. The location where the discharge of PCB's occurred into the harbor was at the far west end of the slip 3 that was where the discharge pipe was. If you look at the concentrations beginning at that point continuing on slip 3 and upper harbor and down the lake, the concentration of PCB's continually dropped off as you go down the lake; so that was an indication they had migrated out from the lake. The concentrations dropped off because as you get further from the source, you get less PCB's.

AUDIENCE: Where did they go?

MR. CAPLICE: It's a diffusion effect.

AUDIENCE: Where did he lose that. How did he lose that?

MR. CAPLICE: It's a diffusion effect. As you drop something down and it's spreading out, if you roll

1 something along the ground, it leaves a little here, a little
2 here. As you go farther out, you have less and less to leave
3 as you go.

4 AUDIENCE: That makes sense. Thank you. The
5 last thing is that, turning on across from the page I just
6 referred to you, is another thought. Upper harbor with PCB
7 concentrations in excess of 500. Why 500 there and 50,000
8 on the other page.

9 MR. PERRECONE: The question has to do on the back
10 sheet at that particular point.

11 MS. LOUISNATHAN: In our negotiations with OMC
12 between the '84 proposal and this proposal, we asked them to
13 treat more PCB's so the definition of hot spots increased by
14 moving from 10,000 parts per million to 500 parts per million.
15 That's the treatment level for this proposal so --

16 AUDIENCE: Is that 10,000 or 500?

17 MS. LOUISNATHAN: It was 10,000 back in '84.
18 Now it's 500. We are requiring them to treat more PCB's
19 out of slip number 3 than they would have done in '84
20 basically; and by doing that, we end up treating greater
21 than the eight percent of all the PCB's that are in the
22 harbor area.
23

24 AUDIENCE: One last question, sir. Can you tell

1 me what is the current or latest test showing that PCB's
2 can be considered the makers of cancer as an example?
3 I'm talking about the first one I heard about is the monkey
4 up in Wisconsin. I think it was a monkey that was fed so
5 much PCB's, and he lost the hair on his chest. Now, he
6 could have lost the hair on his chest, but I think I would
7 have liked to have taken that same monkey and given him a dose
8 of castor oil.

9 MR. PERRECON: The question? The question,
10 Mr. Gogol, can EPA give some examples or research showing
11 the link between PCB's and cancer. Dr. Clark can address
12 that issue.

13 MR. CLARK: We have got -- in fact, I will be
14 glad to send you some of the literature compiled on PCB's
15 and cancer causation in animals and liver effects. We have
16 done compilings on toxic substances which includes some of
17 the monkey data which you can review that for yourself and
18 reach your own conclusion PCB's have been shown to be cancer
19 causes.
20

21 MR. GOGOL: Here's my name and address. Send
22 it to me.

23 MR. CLARK: I will be glad to send it to you.

24 MR. PERRECON: Any other questions, please?

Yes, sir.

1 AUDIENCE: What -- this is different. What
2 immediate effects will cleaning up the harbor, what will
3 that have on the lake itself.

4 MR. PERECONE: What immediate effects will clean-
5 ing up the PCB's in the harbor have upon the lake itself
6 right now? Howard.

7 MR. ZAR: Several years ago we had a consultant
8 model on the harbor do a system laying on what would happen
9 under various cleanup scenarios for the harbor. At the time
10 it was estimated that something like twenty to thirty pounds
11 of PCB's per year were being discharged from the harbor into
12 Lake Michigan and a certain amount also from the north
13 ditch. The approximations that were done based on various
14 possible approaches which part of the basis for deciding the
15 50 parts per million line were after dredging, after cleanup
16 of the harbor, these losses were diminished down to a very
17 small fraction of that amount; so the initial effects of
18 dredging, and it won't happen right away, mind you, there
19 will be a decrease of loss of PCB's in Lake Michigan. At
20 the same time you will get a decrease in water concentra-
21 tions of PCB's in the harbor; so fishing inside the harbor
22 will start to show lower levels.
23
24

1 AUDIENCE: You're saying twenty to thirty
2 pounds a year?

3 MR. ZAR: That was the statement in May.

4 AUDIENCE: How many pounds in the harbor?

5 MR. ZAR: It's a small fraction in the harbor,
6 but you view it in effects of that twenty or thirty pounds.
7 It can be substantial. PCB's are a potent chemical, and
8 concentrations in water are measured in per trillion or
9 lower.

10 AUDIENCE: At what point do you think the line
11 on the south wall of the old harbor there that they will
12 take the sign down that says: Do not eat the fish in the
13 harbor?

14 MR. PERRECONE: The question was at what point
15 will they take the sign down in the harbor about consumption
16 of fish in the harbor?

17 MR. ZAR: I wish I could define that. I would
18 tell you more if I knew. If I would give you a precise
19 answer, I would personally hope in something like five
20 years or something like that. In completion of the
21 project that we might see that sign come down, or at least
22 be changed or diminished in the types of warning.
23
24

MR. PERRECONCONE: Mr. Gogol has a question on

that.

MR. GOGOL: Those signs were put up by the Lake County Health Department.

MR. ZAR: That's my understanding.

MR. GOGOL: Not EPA.

MR. PERRECONCONE: No, EPA did not put those signs up. Lake County Health Department did.

AUDIENCE: Right. I realize that, but I thought everybody, the EPA and Federal Drug Administration would have at least correlated some of the things that have gone on as far as the EPA is concerned and as far as PCB's.

MR. ZAR: There's going to be close monitoring of the harbor of water quality in the harbor to track concentrations of PCB's in the water and see how quickly it happens and hopefully we can see together, watch those concentrations come down as they have in Lake Michigan. It's as a result of various measures that have taken place over the years.

AUDIENCE: Constantly every year in the spring, as I'm a charter captain, someone has a press release on how bad PCB's is around Waukegan, giving Waukegan a bad name, and, number two, my telephone stops ringing. Here,

again, we have no answer to that question.

1 MR. CLARK: The point being made is there should
2 be improvements over time. We are not positive when that
3 time is going to take place or when the levels are going to
4 be in fish.. They are going to be at levels that are going
5 to be acceptable for consumption; but this will be something,
6 this cleanup action should be an action that you should be
7 encouraging about in terms of improving the water quality
8 there, and in terms of improving the concentrations and by
9 lowering the concentrations of PCB's in fish.
10

11 AUDIENCE: I wish it started about seven years
12 ago.

13 MR. PERRECONE: Any further questions?

14 AUDIENCE: Are there any areas you're concerned
15 about other than Waukegan on PCB's? Can you define the areas
16 you're concerned about?
17

18 MR. PERRECONE: Good question. We can have
19 Howard Zar answer the questions on areas of concern other
20 than Waukegan harbor.

21 MR. ZAR: It's true there are a great many harbors
22 around the Great Lakes that have contaminants and contami-
23 nated sediments and PCB's in them. It's extremely unusual,
24 in fact, there are no harbors anywhere on the Great Lakes

1 that have concentrations anything like you have at Waukegan.

2 For example, Indiana harbor canal which is quite
3 a polluted harbor in other respects has PCB levels in the
4 560 level range which is a far sight away from what you find
5 in Waukegan. One of the things that EPA and the states
6 are involved in is an effort to try and see that these
7 harbors as a group get cleaned up; and that's one of the
8 things that's been addressed by these remedial action plans
9 that were referred to earlier.

10 MR. PERRECONE: Well, if there are no other
11 questions, I think what we want to do is make sure you
12 understand what the proposal is all about, understand that
13 it's different from the '84 proposal; and the comments
14 we are accepting in the very near future in a few minutes,
15 I think I will not do the break. I know some people want
16 to have comments. I will hold off for a few more seconds
17 and have all questions answered prior to taking other
18 questions.
19

20 Any other questions at all? Mr. Gogol has a
21 question?

22 MR. GOGOL: No, it's a commendation on our
23 mayor. He was able to shut off the water intake, drinking
24 water, for almost everybody in this room; so there's no

possiblity of anything getting into the drinking water.

With regard to that, better than thirty percent of the source for superfunds are the result of that being open.

MR. SABONJIAN: I want to be perfectly honest with you people. I want to get out of here and go watch the World Series. I don't want to leave and have everybody say, what the hell, he's the mayor; he's leaving. I'd like to say a little history of our harbor.

When I first became mayor in 1957, I noticed with alarm that our south beach area of the United States Steel Corporation was in operation at that time; and many years ago after that I insisted at that time because it looked like the red sea, galvanized wire and all the corrosion from the wire that was being washed in the lake, acid at U.S. Steel Corporation and Cyclone Fence was being washed right out into our lake. I insisted as mayor at the time that they put in centrifical pumps to separate the solids from the water as far as washing of the lake. It was a great step forward to getting rid of polution in our lake; and as this came to my attention, I'm being perfectly honest with you, I never have become alarmed at the PCB's because our main intake, our water pipe in the City of Waukegan, runs out about six thousand feet from the curb of the government

1 pier out into Lake Michigan; and at no time has our water
2 ever showed any indication of PCB's; and this gentleman
3 pointed out they have laid there all these years.

4 I have said this many times. I'm sure a lot
5 of these people here can agree with me. The State showed
6 such an alarm about the PCB's in our harbor, but they keep
7 feeding the lake with salmon and fish and encourage in their
8 tourist brochures throughout the State and throughout the
9 country that this is the coho salmon capital of the world;
10 and I have yet to hear of anybody actually being contami-
11 nated by PCB's in Waukegan harbor; and I have been at sharp
12 odds with EPA and the Port Authority about all this publi-
13 city about the Waukegan area being so polluted.

14 Now, they have got to prove to me that this is
15 truly a contaminant. We have always found Outboard Marine
16 Corporation a very great friend of Waukegan, very civic
17 minded organization, pet industry of this community; and
18 I feel that they have demonstrated when they were told what
19 they had to do, they picked up the challenge and said, we'll
20 do it; but EPA, you people, were afraid to go to Court when
21 the OMC challenged you people to go to Court and prove
22 it was a contaminant. They did laboratory tests. They
23 wanted to go to Court; but EPA didn't.
24

1 Now, they have all this superfund, and you get
2 the publicity; and I say this in some cases it's commented,
3 Sue, you're doing a hell of a job; and I can tell you one thing;
4 as far as I'm concerned, a lot of you people are using the
5 publicity to perpetuate your job and create a lot of alarm
6 throughout the country.

7 Don't tell me there's none around Gary and Chicago
8 canal, Chicago River, Calsag; there's no PCB's down there;
9 but they found a whipping boy in Waukegan; so they're going
10 to raise hell with them. Charter boat captain here, he was
11 so concerned, why did he take the people out fishing if
12 there was such contaminants. He made a living. You mean
13 he didn't care if they got poisoned; and many other charter
14 boat captains take people out.

15 I'm glad the problem has been resolved. At
16 least the start of the problem is being resolved. I don't
17 want people to think the mayor of Waukegan knew this was
18 happening and didn't care.

19 When I saw the obvious U. S. Steel Corporation,
20 I took them on. I saw the obvious, Abbott Labs when they
21 were dumping waste material on our beach north of the OMC
22 Plant. I put a stop to it. They were throwing all medicinal
23 base products they had only hundreds of feet from our lake.
24

1 I stopped it, but you still got to convince me this has
2 been such an imminent danger to our people.

3 The State of Illinois, they're so worried,
4 Attorney General was so worried about it, why haven't
5 they done something in all these years that have gone by;
6 and why do they keep feeding the lake and publicizing
7 salmon is such good fishing. They should put a stop to
8 fishing if it's so bad.

9 I want to commend the Outboard Marine Corpora-
10 tion for their conscious attention to this problem; and I
11 want to commend you for coming out tonight to participate
12 in this discussion to make your oral contribution to the
13 problem.

14 I'm proud of Waukegan, our harbor, and go to
15 Indiana harbor and do something about that too.

16 MR. PERRECONE: Thank you, Mr. Mayor. Thank you
17 very much. In the spirit -- do you have another question?

18 AUDIENCE: I would like to follow up with one
19 comment.. Perhaps, it would be appropriate for Dr. Clark
20 to send that packet to our mayor as well.

21 MR. CLARK: If he requests it.

22 MR. PERRECONE: I think we can move to public
23 comment period. At this point, I want you to give your
24

1 name and affiliation. As I said, EPA will not respond.
2 We are just taking oral comments right now plus written.
3 Please, feel free to give us this.

4 MR. BAKER: My name is Loren Baker, and I'm
5 Director of Public Affairs for Outboard Marine Corpora-
6 tion here in Waukegan; and I do have a comment that will
7 be submitted for the record for tonight; but I thought it
8 might be helpful -- the reason I got up first -- it might be
9 helpful for you to understand Outboard Marine's position
10 in this case before you actually make your public comments.

11 We stated repeatedly during the past several
12 years that we are in favor of resolving the Waukegan harbor
13 issue if it can be done in an environmentally sound, cost
14 effective manner, with as little disruption to OMC and the
15 surrounding community as possible.

16 The settlement you heard described tonight meets
17 two criteria, and we support its implementation. A brief
18 history is important to understanding why we support this
19 proposal when we have resisted previous proposals regard-
20 ing Waukegan harbor.

21 OMC and its predecessor, the Johnson Motors
22 Company have built outboard motors and other products and
23
24

1 component products since the 1930's. Today we maintain our
2 world headquarters here as well as our worldwide marine
3 testing operations, the marketing staff for our marine power
4 products division and die-casting division that supplies
5 precision engines for manufacturers throughout the world.

6 We employ approximately 1,650 people in the
7 Waukegan area. Die-casting is the essential in marine
8 engines. It calls for a cyclinder head by pouring in
9 molten heads or dye. That machine was operated hydraulic-
10 ally in '50. To reduce the risk of fires and reduce the
11 risk to employees as well, potential to destruction of
12 critical manufacturing operations, OMC sought to use fire
13 resistant hydraulic fluid in the operations. Beginning
14 in about 1960, we purchased a fluid from Monsanto by the
15 name of hydrol 5200, the most fire resistant on the market
16 at that time, and used by OMC from 1960 to early 1970, even
17 though significantly more expensive than other hydraulic
18 fluids.

19
20 During our use of hydrol 5200, it was inspected
21 by governmental agencies several times and found to be in
22 compliance with all applicable laws and regulations. In
23 February of 1976, however, we were told by the State
24 Environmental Protection Agency that PCB's had been found

1 in the discharge from the die-casting plant. We investi-
2 gated that situation. We found small amounts of PCB's
3 still present in our discharge, apparently residuals from
4 use of hydrol.

5 We immediately developed and implemented a plan
6 approved by the EPA, sealing off all outfall from die-
7 casting operations. In addition, we developed a closed
8 loop system from our new die-casting center and regulated
9 in 1985 by EPA as the only facility of its type to achieve
10 the Clean Water Act goal of no discharge of pollutants to
11 the environment.

12 In August, 1986, U. S. EPA advised IEPA certain
13 sediments of the Waukegan harbor and certain drainage
14 ditches north of it contained PCB's, and EPA believed those
15 PCB's to come from our die-casting operation. We met with
16 EPA and Illinois EPA upon notification; and a number of
17 investigations were performed aimed at determining what
18 action, if any, was appropriate. As a result of these
19 investigations, numerous decisions with experts and per-
20 sonnel of two agencies at that time brought the conclusions
21 forward that, one, the PCB's in the sediment did not repre-
22 sent an immediate health hazard and neither agency was pre-
23 pared to identify any remedy that they believed was
24

1 environmentally sound and cost effective.

2 In addition, most of the experts we consulted
3 at that time believed, one, any dredging of the sediment
4 in slip 3 would give more in Lake Michigan than taking
5 no action; and, two, the best action might be no action.

6 After several years of discussion and failure
7 to reach agreement regarding what action should be taken,
8 litigation began in 1978; and you are familiar with that,
9 and continued to 1985. During that time Outboard Marine
10 Corporation investigated this issue thoroughly, including
11 taking approximately one hundred statements from government
12 officials, OMC employees, and various experts and consultants
13 to both the government and OMC.

14 While those experts did not agree on all of the
15 issues, they did agree on one. Not one was willing to state
16 the PCB's in Waukegan harbor posed any immediate hazard to
17 the public. These facts are significant because they
18 showed OMC resisted, we believed then and now, their pre-
19 sence though unfortunate, posed no significant risk to the
20 citizens of Waukegan or environment; and in fact, as the
21 scientific community has learned more about PCB's, it has
22 been increasingly clear, while they call for judicial dis-
23 posal, they have not caused the health consequences as
24

1 have no affect on prices. And the second point I would
2 make is, the market somewhat dictates what the prices of
3 the product will be, and we do have competitors out there
4 which would just love to see us try and raise our prices
5 beyond what the market will bear.

6 Secondly, in summary, OMC has agreed to pay
7 damages to fund resources of restoration containing PCB's
8 in Waukegan harbor because of our use, for using hydro-
9 carbons which we purchased and used in compliance with
10 applicable laws and regulations. We did not know of any
11 potential harm to the public or environment; and we know
12 of no evidence today that there has been harm to the public
13 health. Regardless, we have determined that there should
14 be a final resolution of this, and we have been through that.

15
16 Larsen Marine who is using slip number 3 has
17 made them concerned about proposed remedies in favor of
18 this proposal. They have also new and improved facilities
19 which allow the continued use of operations of Larsen and
20 continued use by boaters.

21 It is our understanding the mayor and Waukegan
22 Port Authority support this action. As a result of this
23 settlement, we hope any negative sediments of Waukegan
24 harbor will be removed. Use of the harbor for boating and

1 other forms of recreation improve the potential for future
2 development and nondisruptive to OMC and other businesses.
3 In closing, we propose the plan be completed as soon as
4 possible, and in potential development of the harbor,
5 support this proposal.

6 MR. PERRECONE: Thank you, sir. Next
7 commentator.

8 MR. ISLEY: My name is Charles Isley, and I'm
9 the President and Chief Executive Officer of the Waukegan-
10 Lake County Chamber of Commerce. We represent over 650
11 business and professional firms in the Waukegan-Lake County
12 area. We are a voluntary employer association that has been
13 nationally accredited and serving businesses in Lake County
14 and wish to expand the economic environment of our area and
15 provide jobs and prosperity for our area.

16 As principal spokesman for the area, I would
17 like to congratulate you on the State level and people of
18 OMC for developing the plans you described.

19 It is my understanding Federal law charges you
20 to come up with solutions to problems which are not only
21 environmentally sound but cost effective and nondisruptive
22 to the businesses as possible. That seems to be just what
23 has been done with this plan.
24

1 When this harbor cleanup first came to light
2 a number of years ago, the Chamber membership realized it
3 could be accomplished in as many ways as people with
4 opinions. Some of these ways could be minimally expensive,
5 but more so could also drive business out of the area due
6 to the procedures and costs which we best describe as
7 overkill.

8 Like most good plans, this appeared to be some-
9 what between the two unacceptable extremes. The harbor
10 gets cleaned, our citizens have full access to the beach
11 and harbor, Larsen and other businesses will continue to
12 prosper with minimal inconvenience, the taxpayers do not
13 get hit with a big bill and 1600 jobs at OMC are not in
14 jeopardy.

15 It seems you have lived up to your charge.
16 Our members in the Waukegan-Lake County area are proud
17 of the beauty and the way we have grown. The development
18 inherent in the harbor area is an integral part of the future.

19 This plan you have developed will allow us to
20 put the subject of PCB's behind us, and we think that is
21 a driving constraint on the area as to job, recreational,
22 and quality of life in Lake County.
23

24 On behalf of the members and director of the

1 Lake County Chamber, move quickly as practical to implement
2 the proposed remedy as explained tonight, and I have copies
3 to give you.

4 MR. PERRECONE: Thank you.

5 MR. LARSEN: My name is Jerry Larsen, co-owner
6 of Larsen Marine with Ken Larsen. Our facility is located
7 as you heard on slip 3 directly across from Outboard
8 Marine.

9 Our company is a family business on the harbor
10 since 1983. We employ approximately sixty people and
11 provide roughly service to around sixty people on the
12 annual boating season. Our service includes storm repair
13 and marine supplies as well as boat supplies. We feel
14 these are essential to employment in Waukegan.

15 We would like to compliment EPA and other
16 participants involved for the manner they have described
17 here tonight. Not only have they provided for removing
18 and containing most of the PCB's, but scheduled it so
19 that there will be minimal inconvenience to boaters that
20 use the harbor and also our services.

21
22 As businessmen in Waukegan, we cannot stress
23 the importance in completion of this project, building of
24 the new slip and timing of the harbor work during winter

1 months will minimize the disruption of our business and
2 people who use that harbor.

3 This will not only also allow us to create
4 a better facility, but we will be able to serve more
5 boaters in the years ahead. I think this fits well in
6 with the desires of the City of Waukegan and Waukegan
7 Port District to make Waukegan harbor a mecca to boating
8 enthusiasts.

9 We know better than anyone some of the proposed
10 remedies of PCB remedies could have put Larsen Marine out
11 of business. We thank you and other parties involved for
12 coming up with a remedy that solves the problem without
13 harm to others.

14 We look forward to the day when this whole
15 subject is behind us.

16 MR. PERRECON: Sir.

17 MR. DAVIS: My name is Cameron Davis. I'm
18 with Lake Michigan Federation; and I want to just share the
19 Lake Michigan Federation's feeling of sheer happiness to
20 this thing to be on its way. Federation has been involved
21 for about ten years on this whole issue; and we are glad
22 to see it's on its way.

23 We are also happy that the EPA seems to exhibit
24

1 grace under pressure by not effecting Larsen Marine as
2 badly as it would probably be affected with the '84 docu-
3 ment. We have one, two, strong concerns. Our first concern
4 is with the time limit that is placed on the public com-
5 mentary. We don't think that one month is adequate when we
6 do have a document that's about 600 pages in length. It's
7 very difficult even for the Federation which is an environ-
8 mental group and used to dealing with these issues on a
9 constant basis all over the lake to try and press through,
10 to press through this, in one month's time, let alone for
11 the public and citizens who want to try and understand it
12 from a lay person's prospective.

13 I would suggest the EPA try for six to eight
14 weeks. Something like that may be a little more feasible.

15 Our second big concern has to do with the 50
16 parts per million threshold per cleanup. The 50 parts per
17 million is a level -- it's a level -- not a standard, based
18 on human health and ecological concerns. Inasmuch as EPA
19 in its own documentation -- I'm referring now to guidelines
20 and register to Great Lakes dredging project, the EPA has in
21 a sense advocated 10,000 to 50,000 grams per million grams,
22 being roughly or similar or equivalent to parts per million.
23 The Fish and Wildlife Service has even advocated a threshold
24

lower than that for the Kalamazoo River.

1 That's a huge concern. We view the plan in
2 that respect as an interim plan. Since it does not take
3 into account ecological effects, and I think that's impor-
4 tant too, not only do we want to protect human health, but
5 ecological health. We plan to protect the fish and wildlife.
6 They're important resources. Fisheries alone bring in
7 2,000,000 in the Great Lakes alone; so I don't think we
8 can dispel those.
9

10 Another concern along those lines is the point
11 up to which the dredging will take place. You can see the
12 line. I believe it's roughly equivalent to slip 3; is that
13 correct, above, okay. Levels even higher than 50 parts
14 per million which I have stated and the Federation doesn't
15 agree is a threshold of being found below that area to be
16 dredged.

17 I will refer now to a document that was released
18 this year called, Assessment of Ecological assignments in
19 Waukegan harbor, and in it there are levels as high as a
20 174 parts per million below that area where the cement wall
21 would be placed; so the second part to the comment would be,
22 I don't think we are dredging far enough down the line.
23

24 Another part of this document is that PCB's

1 aren't the only contaminants involved. There is a reason to
2 believe there is aluminum and lead and grease and oil that
3 may be causing health problems in lab tests that have taken
4 place; so what we would like to see is not so much rigidity
5 in the 50 parts per million threshold because we don't think
6 it's based on the right factor. It's a policy, not an
7 ecological factor we feel most strongly about and ask the
8 EPA to look into further and have a little more flexibility
9 with.

10 MR. PERRECON: Waukegan Port District.

11 MR. FREEBORN: My name is Don Freeborn,
12 Executive Director of the Waukegan Port District, and
13 I have listened to everyone tonight. We have to realize
14 one thing, the harbor is going to be cleaned up regardless
15 of what you say at this point. Both parties agree the
16 money is put up. EPA agrees and my board agrees they are
17 going to support this to the maximum; and I will read what
18 the Board has to say.
19

20 The consent decree signed by the United States
21 EPA and Outboard Marine Corporation sets forth remedial
22 action to be undertaken for removal of PCB;s in Waukegan
23 harbor. The proposed remedy supported by the Waukegan Port
24 District Board is the best alternative for Waukegan harbor,

1 less disruptive if the harbor remains opened to boaters
2 and without restricting Larsen facility. Dredging of the
3 main cleanup will be accomplished in the upper harbor.
4 The remedy proposed will not affect the future develop-
5 ment of the waterfront, nor pose any undue hazards to Lake
6 Michigan, resolving these issues, remove the PCB's, the
7 stigma that arises when PCB's are discussed; and finally,
8 the Port District, Outboard Marine Corporation, and asso-
9 ciated industries in the harbor would be able to get on
10 with their business.

11 MR. PERRECON: Thank you, sir. Ma'am, you're
12 next.

13 MS. DAVIS: I'm D. J. Davis, Waukegan District
14 Office, Staff Assistant to Congressman John Porter, and he
15 has asked me to read this very brief statement of the
16 Honorable John Porter, Tenth Congressional District in
17 support of the consent decree on cleanup.

18 I have been a constant supporter of the cleanup
19 of Waukegan harbor and strongly endorse the consent decree
20 between U. S. EPA and Outboard Marine Corporation. I urge
21 the citizens of Waukegan in the Tenth Congressional District
22 to unite behind its complete implementation.

24 The litigation in the past decade has not aided

1 protection of our environment or health. This representa-
2 tion will allow the City of Waukegan to move forward, provide
3 additional jobs and the Waukegan harbor with a clean bill of
4 health.

5 This agreement was made possible by the strength
6 of the superfund which Congress enacted in 1985 with my
7 support. The 1985 superfund strengthened EPA's authority
8 to clean up and apply state of the arts technology to purge
9 the environment of toxic substances. This cleanup agree-
10 ment provides new and used technology to insure public
11 safety and insure a complete cleanup of PCB's. It thus
12 represents an improvement over prior decisions advanced in
13 1984 by the EPA. This plan is environmentally sound. Removal
14 of PCB's from the harbor will prevent this migration into
15 the lake and assimilation into the food chain. The proposed
16 containment cells and the technology insure PCB's will not
17 reach back into the environment with injury to the citizens
18 of Waukegan.

19
20 This agreement respects the needs of Waukegan.
21 It will not force the harbor to close to boaters for the
22 summer, nor Larsen Marine to go out of business, and not
23 impose impossible work standards for Outboard Marine.
24 Therefore, the agreement, particularly to the cost allocation

of superfund, Outboard Marine Corporation and not the
1 American taxpayer bears the cost.

2 The agreement affords indicated future develop-
3 ment of the harbor for recreational and commercial uses.
4 The City of Waukegan will benefit from the improved image
5 that follows all elimination of this toxic substance.

6 I salute the EPA, State of Illinois, Mayor
7 Sabonjian, who, I think is a lifetime citizen of Waukegan,
8 and OMC for their efforts to achieve this agreement, and
9 national media, and it provides a model which the rest of
10 the nation can look to in future cleanups. Thank you.

11 MR. PERRECONE: Any other commentary?

12 MR. CLARKE: My name is Lew Clark, and I'm a
13 boater in Waukegan, and I'm not really speaking for anybody
14 but myself; and I think maybe some of the other people that
15 boat down there.

16 I have been down at the harbor all of my life.
17 I grew up down there. Some of the other people and myself
18 live on our boats in the summer. We are concerned about
19 what's happening at the harbor.

20 For fifteen years we have watched Johnson
21 Motors and Outboard Marine and EPA clash over this PCB
22 problem, whether it's harmful, whether it's not harmful,
23 what should be done about it, while we sat there wondering
24

1 what's going to happen to our harbor; what's going to happen
2 to our boats; where we going to sail.

3 We are glad it's partially resolved. I oppose,
4 and many people opposed, the earlier provision. There was
5 no provision for our boats and no provision for our ship-
6 yard; and without a place to take our boats out and keep
7 our boats in the winter, we just don't have boats; so we
8 opposed that and hoped something else would be worked out.
9 Apparently it has, and I think that this is something that
10 really will work, and that we support.

11 I think that there will be some disruption
12 to boating, perhaps, but I think it will be minimal. The
13 thing I thing also that concerns me as a citizen of
14 Waukegan and living here and practicing law here and
15 listening to the news that Waukegan is one of the hot spots
16 in the United States by Mr. Jacobson's comments. I'm tired
17 of living in a toxic dump. Whether the PCB's are harmful
18 or the extent really becomes an aside. They're perceived
19 as harmful, and I think it's the perception that's harmful;
20 and Waukegan, like it or not, is conceived as a toxic dump;
21 so let's get rid of the problem and get on with the lake-
22 front. Thank you.

23 MR. PERRECON: Anymore? If anyone has written
24 comments, give them to me before the meeting closes. We

1 have a number of fact sheets and information if anybody
2 for an organization wants them to distribute to the
3 community, like EMO, Larsen Marine, take them from the
4 distribution table.

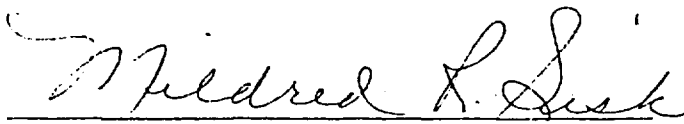
5 AUDIENCE: Where should people send comments to
6 you before the November deadline? Public Affairs or --

7 MR. PERRECONCONE: On the agenda we have the loca-
8 tion. John Perrecone, Office of Public Affairs. It's also
9 on the fact sheet.

10 With that in mind, we will adjourn. Thank you
11 very much.

1 STATE OF ILLINOIS)
2) SS
3 COUNTY OF LAKE)
4
5

6 I, MILDRED R. SISK, do hereby certify
7 that I am a court reporter doing business in the County
8 of Lake and State of Illinois; that I reported by means
9 of machine shorthand the Public Meeting to discuss OMC/
10 Waukegan Harbor Settlement, and that the foregoing is a
11 true and correct transcript of my shorthand notes so taken
12 as aforesaid.
13

14 
15 MILDRED R. SISK, CSR,
16 Lake County, Illinois
17
18
19
20
21
22
23
24

CORRECTIONS TO PUBLIC HEARING
BEFORE US EPA - 10/18/88

Page 16 Line 3

CHANGE:

Insert after Terry Ayers, from IEPA

REASON FOR CHANGE:

Omission

Page 21 Line 14

CHANGE:

Insert plan after remedial on line 14

REASON FOR CHANGE:

Omission

Page 27 Line 23

CHANGE:

Change spelling of Gogol to Gokol

REASON FOR CHANGE:

Misspelling of proper name

Page 28 Line 10, 11, 13, 14 & 17

CHANGE:

Change Taxis and Bauxite to Taciuk and B.E.S.T.; Gogol to Gokol

REASON FOR CHANGE:

Misspelling

Page 29 Line 15 & 12

CHANGE:

Omit dashes after It's not. Change spelling of Gogol to Gokol

REASON FOR CHANGE:

Error

Page 30 & 31 Line

CHANGE:

Change spelling of Gogol to Gokol

REASON FOR CHANGE:

Misspelling of proper name

CORRECTIONS TO PUBLIC HEARING
BEFORE US EPA - 10/18/88

page 2

Page 35 Line 10 & 20

CHANGE:

Change spelling of Gogol to Gokol

REASON FOR CHANGE:

Misspelling of proper name

Page 38 Line 3 & 6

CHANGE:

Change spelling of Gogol to Gokol

REASON FOR CHANGE:

Misspelling of proper name

Page 40 Line 21

CHANGE:

Change spelling of Gogol to Gokol

REASON FOR CHANGE:

Misspelling of proper name

Page 43 Line 8

CHANGE:

Change Calsag to Cal Sag

REASON FOR CHANGE:

Misspelling

Page 57 Line 21

CHANGE:

PCB;s to PCB's

REASON FOR CHANGE:

typographical error

Page 60 Line 13

CHANGE:

Change Clark to Clarke. Misspelling of proper name.

1 STATE OF ILLINOIS)
2) SS
3 COUNTY OF LAKE)
4
5

6 I, MILDRED R. SISK, do hereby certify
7 that I am a court reporter doing business in the
8 County of Lake and State of Illinois; that the
9 attached corrections may be made to the transcript
10 of the public hearing before the US EPA held on
11 October 18, 1988.
12

13 Mildred R. Sisk
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